

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
JAVIER SANCHEZ-VASQUEZ,)
Defendant.)

CASE NO. CR07-134 RSM

DETENTION ORDER

Offenses charged:

Count 1: Conspiracy to Distribute Heroin and Cocaine, in violation of Title 21, U.S.C., Sections 841(a)(1), 841(b)(1)(B), 841(b)(1)(C), and 846;

Count 8 and 10: Distribution of Heroin, in violation of Title 21, U.S.C., Section 841(a)(1), and 841(b)(1)(C), and Title 18, U.S.C., Section 2.

Date of Detention Hearing: April 9, 2007

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by

1 Adam Cornell. The defendant was represented by Allen Bentley.

2 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

3 (1) There is probable cause to believe the defendant committed the
4 Conspiracy to Distribute Heroin and Cocaine offense. The maximum
5 penalty is in excess of ten years. There is therefore a rebuttable
6 presumption against the defendant's release based upon both
7 dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

8 (2) The defendant is viewed as a risk of nonappearance as he is a citizen of
9 Mexico and is in the United States illegally. The Bureau of Immigration
10 and Customs Enforcement has placed a detainer against Defendant.

11 (3) Defendant stipulates to detention at this time.

12 Based upon the foregoing information, it appears that there is no condition or
13 combination of conditions that would reasonably assure future Court appearances and/or
14 the safety of other persons or the community.

15 **It is therefore ORDERED:**

16 (1) The defendant shall be detained pending trial and committed to the
17 custody of the Attorney General for confinement in a correction facility
18 separate, to the extent practicable, from persons awaiting or serving
19 sentences or being held in custody pending appeal;

20 (2) The defendant shall be afforded reasonable opportunity for private
21 consultation with counsel;

22 (3) On order of a court of the United States or on request of an attorney for
23 the Government, the person in charge of the corrections facility in which
24 the defendant is confined shall deliver the defendant to a United States
25 Marshal for the purpose of an appearance in connection with a court
26 proceeding; and

1 (4) The clerk shall direct copies of this order to counsel for the United
2 States, to counsel for the defendant, to the United States Marshal, and to
3 the United States Pretrial Services Officer.

4 DATED this 11th day of April, 2007.

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8 MONICA J. BENTON
9 United States Magistrate Judge
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